

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DAVID BANKHEAD,

Plaintiff,

Case no. 07-11225

Honorable John Corbett O'Meara

v.

MSP MEDICAL HEALTH SERVICE, JMF, and  
CAROL GRIFFES,

Defendants.

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ORDER ACCEPTING MAGISTRATE JUDGE PEPE'S  
REPORT AND RECOMMENDATION

The Court having reviewed Magistrate Judge Pepe's Report and Recommendation, filed September 26, 2007, with no objections having been filed by the parties, and being fully advised in the premises;

IT IS HEREBY ORDERED that the Report and Recommendation is accepted and adopted by this Court.

IT IS FURTHER ORDERED that Defendant Griffes' Motion for Summary Judgment, filed July 06, 2007 is GRANTED.

IT IS FURTHER ORDERED that Defendant MSP Medical Health Service, JMF is granted summary judgment and this case is hereby DISMISSED with prejudice on the Eight Amendment claim.

IT IS FURTHER ORDERED that pursuant to 18 U.S.C. § 1367(c)(3) this Court declines to exercise any supplemental jurisdiction over state claims.

s/John Corbett O'Meara  
United States District Judge

Date: November 16, 2007

Certificate of Service

I hereby certify that a copy of the foregoing order was served upon the parties of record on November 16, 2007, by electronic and/or U.S. mail.

s/William Barkholz  
Case Manager